UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/44/243
9 October 1990

Forty-fourth session
Agenda item 36

RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[without reference to a Main Committee (A/44/24/Add.1 and Add.1/Corr.1/Rev.1)]

44/243. Question of Namibia

A

Dissolution of the United Nations Council for Namibia

The General Assembly,

Recalling its resolution 2248 (S-V) of 19 May 1967, by which it decided to establish a United Nations Council for South West Africa 1/ as the legal Administering Authority for the Territory until independence,

Recalling also its resolution S-18/1 of 23 April 1990, by which it admitted the Republic of Namibia to membership in the United Nations,

Taking note of the declaration of the United Nations Council for Namibia adopted at its special plenary meetings, held at Windhoek from 9 to 11 April 1990, 2/ by which the Council decided to recommend to the General Assembly its own dissolution as a result of Namibia's attainment of freedom and independence,

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1/ By its resolution 2372 (XXII) of 12 June 1968, the General Assembly proclaimed that South West Africa should thenceforth be known as "Namibia". By the same resolution, the Assembly decided that the United Nations Council for South West Africa should be called "United Nations Council for Namibia".

2/ A/44/940-S/21270, annex.

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Taking note also of the decision taken by the United Nations Council for Namibia at its special plenary meetings immediately to arrange, with the agreement of the Government of the Republic of Namibia, to co-ordinate the smooth transfer of the relevant programmes and activities of the Council to the Government of Namibia,

Taking note further of the decision of the United Nations Council for Namibia requesting the Office of the United Nations Commissioner for Namibia and the United Nations Institute for Namibia to organize in Namibia a seminar on programme planning for the national reconstruction and development of Namibia,

1. Commends the United Nations Council for Namibia, as the legal Administering Authority for the Territory until independence, for the fulfilment of the important responsibilities entrusted to it by the General Assembly in its resolution 2248 (S-V) and for its unrelenting efforts to ensure the attainment by the Namibian people of self-determination and national independence;

2. Decides that the United Nations Council for Namibia, having fulfilled the important mandate entrusted to it by General Assembly resolution 2248 (S-V) relating to the Territory, is hereby dissolved;

3. Requests the Secretary-General to continue to provide the necessary resources in order to complete the implementation of the programme activities approved by the United Nations Council for Namibia for 1990, as set forth in annex I to the present resolutions;

4. Requests the Secretary-General immediately to arrange, in consultation with the Government of Namibia, to co-ordinate the transfer to the Government of Namibia of the programmes, activities and assets of the United Nations Council for Namibia, including archival collections consisting of, inter alia, major resolutions and decisions of the United Nations on the question of Namibia and other relevant documents and official correspondence, as well as, in particular, those relating to the implementation of Decree No. 1 for the Protection of the Natural Resources of Namibia 3/ and to the accession to international conventions and representation of Namibia in specialized agencies of the United Nations and intergovernmental organizations;

5. Requests the Secretary-General, in recognition of the unique and direct responsibility that the United Nations had assumed over Namibia prior to independence, to ensure the continued role of the United Nations in the reconstruction and development of the newly independent State of Namibia by providing the necessary resources and staff within the Secretariat for the delivery of such programmes of assistance;

6. Also requests the Secretary-General to provide assistance as may be requested by the Government of Namibia in the preparation of a comprehensive national census in order to determine accurate demographic and other relevant socio-economic statistics on Namibia;

3/ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. I, annex II.

7. Further requests the Secretary-General to consider as a matter of priority the redeployment within the United Nations Secretariat and other organizations of the United Nations system of the staff of the Office of the United Nations Commissioner for Namibia.

96th plenary meeting
11 September 1990

B

United Nations Fund for Namibia

The General Assembly,

Having examined the parts of the report of the United Nations Council for Namibia relating to the United Nations Fund for Namibia, 4/

Recalling its resolution 2679 (XXV) of 9 December 1970, by which it established the United Nations Fund for Namibia,

Recalling also its resolution 3112 (XXVIII) of 12 December 1973, by which it appointed the United Nations Council for Namibia trustee of the United Nations Fund for Namibia,

Recalling further its resolution 31/153 of 20 December 1976, by which it decided to launch the Nationhood Programme for Namibia, a comprehensive assistance programme within the United Nations system, covering both the period of the struggle for independence and the initial years of independence of Namibia,

Noting that the current programmes under the General Account, the United Nations Institute for Namibia Account and the Nationhood Programme Account of the United Nations Fund for Namibia should be completed,

1. Takes note of the relevant parts of the report of the United Nations Council for Namibia;

2. Takes note also of the declaration of the United Nations Council for Namibia adopted at its special plenary meetings held at Windhoek from 9 to 11 April 1990, 2/ by which the Council recognized that some of its current programmes and activities remain incomplete;

3. Decides that the United Nations Fund for Namibia shall continue to operate in order to ensure the orderly completion of all programmes and activities currently financed from it and as set forth in annex II to the present resolutions and that a report in this respect shall be made to the General Assembly at an appropriate time;

4/ A/44/24, part four, chaps. III and IV, sect. B.

READEX FICHE

4. Decides also that the United Nations Fund for Namibia shall operate under the custody of the Secretary-General;

5. Decides further to establish the United Nations Trust Committee for the United Nations Fund for Namibia, the composition and guidelines of which shall follow the pattern of the Committee on the United Nations Fund for Namibia, to serve as the trustee of the Fund until its dissolution;

6. Requests the Committee, with the agreement of the Government of Namibia, to take the necessary measures to ensure the completion of ongoing programmes and activities currently financed from the United Nations Fund for Namibia;

7. Decides that the United Nations Institute for Namibia, having fulfilled its mandate to provide substantive support in its areas of competence in the struggle for freedom of the Namibians and the establishment of an independent Namibia and in view of the critical financial difficulties which it is experiencing, shall cease its operations on 30 September 1990;

8. Requests the Secretary-General, in consultation with the United Nations Trust Committee for the United Nations Fund for Namibia, and in co-operation with the Governments of Namibia and Zambia, to implement the closure of the United Nations Institute for Namibia as provided for in paragraph 7 above, and to liquidate its assets and discharge its liabilities and, having regard to the needs of Namibia and the successor institution to the Institute, to make available any residual net assets for utilization by such successor institution;

9. Expresses its deep appreciation to the Government of Zambia for accommodating the United Nations Institute for Namibia prior to Namibia's independence and extending services, courtesies and privileges to facilitate the Institute's operations in Zambia;

10. Requests the Secretary-General, in co-operation with the Governments concerned, to co-ordinate the transfer to Namibia of the United Nations Vocational Training Centre for Namibia at Cuacra, Angola, and to determine the future status of the Namibia Secondary Technical School at Loudima, the Congo, and expresses its deep appreciation to the Governments of Angola and the Congo for the courtesies and hospitality that they have extended to these institutions;

11. Expresses its appreciation to all States, specialized agencies and other organizations and institutions of the United Nations system, and to governmental and non-governmental organizations that have made contributions to the United Nations Fund for Namibia, as well as to all individuals who have done so;

12. Requests the Secretary-General to appeal to Governments, intergovernmental and non-governmental organizations and individuals for voluntary contributions to the United Nations Fund for Namibia;

13. Invites Governments to appeal once more to their national organizations and institutions for voluntary contributions to the United Nations Fund for Namibia;

14. Expresses its appreciation to the United Nations Development Programme for its contribution to the financing and administration of the Nationhood Programme for Namibia and the financing of the United Nations Institute for Namibia, and calls upon it to continue its contribution to the United Nations Fund for Namibia;

15. Decides that Namibians currently benefiting from assistance through the United Nations Educational and Training Programme for Southern Africa and through the United Nations Trust Fund for South Africa shall continue to be eligible for such assistance until they complete their programmes;

16. Requests the Secretary-General to credit as soon as possible to the United Nations Fund for Namibia the sum of 1.5 million United States dollars already appropriated for 1990 under the regular budget;

17. Requests the Secretary-General to continue to provide the necessary resources for the performance of the activities financed from the United Nations Fund for Namibia.

96th plenary meeting
11 September 1990

Annex I

PROGRAMME ACTIVITIES APPROVED BY THE UNITED NATIONS COUNCIL FOR NAMIBIA FOR 1990 TO BE CARRIED OUT FOLLOWING THE DISSOLUTION OF THE COUNCIL

The United Nations Council for Namibia approved the programme activities enumerated below for 1990:

1. Preparation of reports on the political, military and social situation in Namibia, and on the activities of foreign economic interests in the Territory, for the period from 1 April 1989 until independence;

2. Preparation of a report on contacts between Member States and South Africa to cover the period from 1 April 1989 until independence;

3. Preparation of a report on the activities of the Council for the period from 1 September 1989 until independence;

4. Organization of a seminar on programme planning for the national reconstruction and development of Namibia and preparation of its final report;

5. Preparation of draft chapters on Namibia for inclusion in the Yearbook of the United Nations for the years 1986 to 1990;

6. Preparation of a draft study of Article 81 of the Charter of the United Nations for inclusion in Supplement No. 7 of the Repertory of Practice of United Nations Organs;

7. Compilation of archival materials relating to United Nations action on Namibia and deemed to be of use or interest to Namibia, including major resolutions and decisions of the United Nations on the question of Namibia and other relevant documents and official correspondence;

8. Drafting of a historical account of the responsibilities and programmes undertaken by the Council since its inception.

Annex II

PROGRAMMES AND ACTIVITIES FINANCED FROM THE UNITED NATIONS FUND FOR NAMIBIA

A. Nationhood Programme Account

1. The Nationhood Programme Account of the Fund finances sixteen training and education projects for Namibians in various fields of study. Two of these projects provide funding for the United Nations Vocational Training Centre for Namibia at Cuacra, Angola, which is to be relocated to Namibia in late 1990 or early 1991.

B. General Account

2. The individual scholarship programme of the General Account provides sponsorship for one hundred eighty-five Namibian students, the majority of whom are studying at university level in the United States of America.

3. The General Account also supports six training projects similar to those of the Nationhood Programme and one project that makes a major contribution to the operating expenses of the Namibia Secondary Technical School at Loudima, the Congo.

4. The General Account provides social and medical assistance for expatriate Namibians in need, generally students, and covers the return travel expenses of scholarship holders who have completed their degrees.

C. Institute for Namibia Account

5. The Institute for Namibia Account of the Fund provided most of the funding for the budget of the United Nations Institute for Namibia at Lusaka. The Institute shall cease its operations on 30 September 1990.

UNITED NATIONS

A

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A/RES/44/244
9 October 1990

Forty-fourth session
Agenda item 28

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[without reference to a Main Committee (A/44/L.68)]

44/244. Policies of apartheid of the Government of South Africa

The General Assembly,

Recalling the Declaration on Apartheid and its Destructive Consequences in Southern Africa, 1/ adopted by consensus on 14 December 1989 at the sixteenth special session of the General Assembly,

Bearing in mind that the Declaration called upon the South African régime, inter alia, to undertake certain measures in order to create a climate suitable for negotiations in South Africa,

Recalling that the Declaration called upon the international community not to relax existing measures aimed at encouraging the South African régime to eradicate apartheid until there is clear evidence of profound and irreversible changes, bearing in mind the objectives of the Declaration,

Noting that the States Members of the United Nations and the members of the international community have generally adhered to the programme of action contained in the Declaration 2/ and expressing its concern over any departures that have occurred from the international consensus reflected in the Declaration,

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1/ Resolution S-16/1, annex.

2/ Ibid., sect. C.

4. Calls upon the South African régime to proceed without delay to establish a climate fully conducive to negotiations by taking all the steps stipulated in the Declaration, in particular, to implement its commitment to repeal all legislation, such as the Internal Security Act, designed to circumscribe political activity;

5. Calls for an immediate end to violence and urges the South African authorities to take urgent action to end it, specifically by dismantling the apartheid structures as well as ensuring effective and impartial action by the security forces and calls upon all parties concerned to contribute to the establishment of a climate free of violence;

6. Welcomes the fact that the African National Congress of South Africa and the South African régime have engaged in talks which have thus far resulted in the Groote Schuur and the Pretoria minutes aimed at facilitating the commencement of substantive negotiations;

7. Commends the African National Congress of South Africa for having taken the initiative in calling for talks with the South African régime and for its landmark decision to suspend the armed struggle;

8. Urges the international community and the Secretary-General, through the relevant United Nations agencies, to provide all possible assistance to facilitate the re-establishment of previously banned political organizations in South Africa as well as the reintegration of released political prisoners;

9. Requests the Secretary-General, through the relevant United Nations agencies, to provide all necessary assistance for the voluntary repatriation of the South African refugees and political exiles in safety and dignity, and requests the South African régime, the liberation movements and other organizations in South Africa and the international community to extend their full support to this endeavour;

10. Also requests the Secretary-General to remain actively seized of developments in South Africa and to submit by 30 June 1991 to the forty-fifth session of the General Assembly a report on further progress in the implementation of the Declaration.

100th plenary meeting
17 September 1990